

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

**DEFENDANT WASHINGTON GAS LIGHT COMPANY'S MOTION FOR EXTENSION  
OF TIME TO FILE AN ANSWER UNTIL 14 DAYS AFTER RESOLUTION OF ITS  
PENDING RULE 12(b)(6) MOTION TO DISMISS**

Defendant Washington Gas Light Company (“Washington Gas”) through undersigned counsel and pursuant to Federal Rules of Civil Procedure 12(a)(4) and 12(b)(6) and Local Civil Rule 7(F)(2), hereby respectfully moves for an extension of time to file its Answer to the First Amended Complaint. In support of this motion Washington Gas states the following:

1. Washington Gas filed a motion to dismiss the First Amended Complaint pursuant to Rule 12(b)(6) for failure to state a claim on April 11, 2023 (Dkt. 10). Plaintiff through counsel filed her opposition to the motion on April 25, 2023 (Dkt. 15) and Washington Gas filed its reply brief on May 1, 2023 (Dkt. 18). This Court set a hearing on the motion to dismiss for November 9, 2023 (Oct. 10, 2023 Dkt. Entry).

2. Defendant Washington Gas's Rule 12(b)(6) motion remains undecided and no order has been entered denying the motion or postponing its disposition until trial. Pursuant to Rule 12(a)(4)(A), filing a motion under Rule 12(b)(6) alters the time for filing a responsive

pleading such that “[u]nless the court sets a different time, . . . if the court denies the motion or postpones its disposition until trial, the responsive pleading must be served within 14 days after notice of the court’s action.”

3. Pursuant to Rule 12(a)(4), Washington Gas need not file an Answer to Plaintiff’s First Amended Complaint unless this Honorable Court denies its Rule 12(b)(6) motion or provides notice that it is deferring ruling on the motion until trial, in which case Washington Gas’s Answer would be due 14 days from receipt of notice of the denial or deferral.

4. In its October 6, 2023 Order (Dkt. 22), this Honorable Court noted that “[a]ny party required to file an answer must do so within twenty (20) days.” Such a party would therefore be required to file an answer by October 26, 2023. For the reasons detailed above, Washington Gas does not believe it is a “party required to file an answer” by October 26 because it has not received notice that its Rule 12(b)(6) motion has been either denied or deferred. However, out of an abundance of caution, Washington Gas respectfully requests that this Honorable Court grant its motion for an extension of time to file its Answer to the First Amended Complaint until 14 days after any order denying its Rule 12(b)(6) motion or postponing its disposition until trial.

5. Washington Gas hereby waives hearing on this motion.

DATED: October 26, 2023

Respectfully submitted,

**STINSON LLP**

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*Counsel for Defendant Washington Gas  
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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

DEIRDRE YOUNG, )  
Plaintiff, )  
v. )  
WASHINGTON GAS LIGHT ) Civil Case No. 1:23-cv-00445-PTG-JFA  
COMPANY, )  
and )  
TEMPORARY SOLUTIONS, INC., )  
Defendants. )

## ORDER

Upon consideration of Defendant Washington Gas Light Company's Motion for Extension of Time to File an Answer Until 14 Days After Resolution of Its Pending Rule 12(b)(6) Motion to Dismiss, it is hereby:

ORDERED that Defendant's Motion is GRANTED; and it is

FURTHER ORDERED that Defendant Washington Gas Light Company shall have up to and including fourteen days after resolution of its pending Rule 12(b)(6) motion to dismiss to answer or otherwise respond to the First Amended Complaint.

IT IS SO ORDERED.

Entered this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

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The Honorable John F. Anderson  
United States Magistrate Judge

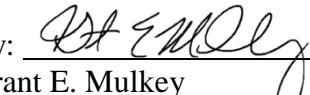
**CERTIFICATE OF SERVICE**

I hereby certify that on October 26, 2023, I filed Defendant Washington Gas Light Company's Motion for Extension of Time to File an Answer Until 14 Days After Resolution of its Pending Rule 12(b)(6) Motion to Dismiss and Proposed Order using the Court's CM/ECF system, which will send a notice of electronic filing to all parties of record.

DATED: October 26, 2023

Respectfully submitted,

**STINSON LLP**

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